

# COUNTY OF YORK

## MEMORANDUM

**DATE:** November 5, 2003 (PC Mtg. 11/12/03)

**TO:** York County Planning Commission

**FROM:** J. Mark Carter, Assistant County Administrator

**SUBJECT:** Application No. ZT-80-03, York County Planning Commission – Chesapeake Bay Preservation Area Regulations

This application has been sponsored by the Planning Commission and proposes various amendments to Section 24.1-372, EMA – Environmental Management Area Overlay District of Chapter 24.1- Zoning (York County Code) to reflect changes in the Chesapeake Bay Preservation Area regulations promulgated by the Chesapeake Bay Local Assistance Board (CBLAB).

The proposed amendments are necessary to bring the County's Chesapeake Bay provisions into conformance with the regulations and policy guidance adopted by CBLAB. CBLAB's policy guidance was not finalized until September 15, 2003, thus delaying staff's ability to finalize a proposal for consideration. In accordance with the state regulations, localities are required to have their ordinances updated and adopted by December 31, 2003.

The Planning Commission considered these provisions at a work session on October 29, 2003 and, in accordance with that discussion, the amendments are now presented for formal public hearing and consideration. The proposed ordinance provisions and the regulatory changes on which they are based are described in the attached summary. As noted, most of the changes are mandatory in order to bring York County's requirements into compliance with the new state regulations. The several that are not (ordinance reorganization, separate standards/guidelines document, yard requirements measured from buffer, and the civil penalties), are recommended by staff for the reasons noted in the summary.

Adoption of proposed Resolution No. PC03-33 is recommended.

Carter/3337

Attachments

- Excerpt - Unapproved Minutes – October 29, 2003 Work Session
- Summary of Regulation Changes and Proposed Amendments
- Proposed Section 24.1-372 dated November 5, 2003
- Proposed Buffer Guidelines
- Diagram of Chesapeake Bay Preservation Area components
- Proposed Resolution – PC03-33

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